

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Case Number:

MICHAEL GARFIELD BLAKEPOTTER

12-MJ-228 ASB

a/k/a Michael Romeo Geraci

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

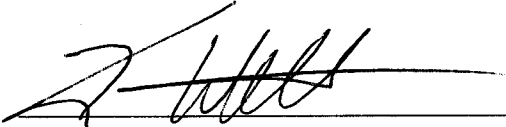
On or about April 10, 2012, in Ramsey County, in the State and District of Minnesota, the defendant, MICHAEL GARFIELD BLAKEPOTTER, after having previously been convicted of at least one crime punishable by imprisonment for a term exceeding one year, namely a 2009 Ramsey County, MN conviction for second degree assault with a dangerous weapon, did thereafter knowingly possess, in and affecting interstate or foreign commerce, a firearm, namely a Marlin, Model 120 Magnum, 12 gauge shotgun, with serial number A11816, an overall length of approximately 27 inches, and a barrel length of approximately 15 and one-half inches, all in violation of Title 18, United States Code, Section 922(g)(1).

I further state that I am a Special Agent with ATF, and that this complaint is based on the following facts:

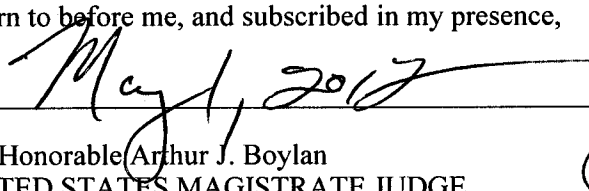
SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,


Signature of Complainant
Kylie M. Williamson
Special Agent, ATF

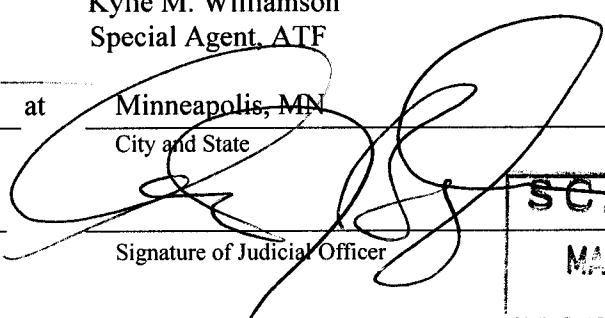
Date

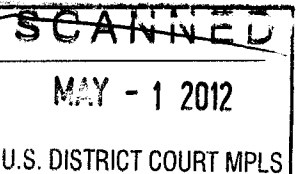

The Honorable Arthur J. Boylan
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

at

Minneapolis, MN
City and State


Signature of Judicial Officer



STATE OF MINNESOTA)

) ss.

AFFIDAVIT OF KYLIE WILLIAMSON

COUNTY OF HENNEPIN)

I, Kylie Williamson, having been duly sworn, hereby depose and say:

1. I have been employed as a Special Agent (SA) with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") since 2007, and am assigned to the St. Paul I Field Office in St. Paul, Minnesota. ATF Special Agents are empowered to investigate violations of firearms laws and related crimes.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing an arrest warrant for MICHAEL GARFIELD BLAKEPOTTER a/k/a Michael Romeo Geraci for possession of a firearm by a convicted felon in violation of Title 18, United States Code, Section 922(g)(1). This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports and written materials. This affidavit does not include all of the details I have learned during this investigation, it merely includes information believed to be sufficient to establish probable cause.

3. On April 10 2012, the St. Paul Police Department's ("SPPD") West FORCE Unit received information that a stolen van, described as a white Chrysler Town and Country minivan, would be in the area of the Uni/Dale Mall in St. Paul, MN, near the Sun Foods Store, located at 544 University Avenue West, St. Paul, MN.

4. SPPD officers responded to the area described and located a white Chrysler Town

and Country minivan bearing Minnesota License Plate TLC-989 in the Sun Foods parking lot. SPPD officers queried that license plate and confirmed that the vehicle was reported stolen.

5. At approximately 5:38 p.m. on April 10, 2012, Officers with the West FORCE unit conducted a stop of the Chrysler Town and Country minivan in the Uni/Dale Mall parking lot. The driver, and only occupant of the vehicle, BLAKEPOTTER, was arrested.

6. During an inventory search of the stolen vehicle, Officers located a firearm inside of a black bag found between the front driver and passenger side seats. Upon locating the gun during the inventory search, the officer who found the gun said "gun" to inform other officers on scene that a gun had been found. Upon hearing this, and not in response to any questioning, BLAKEPOTTER immediately stated "it's for my protection."

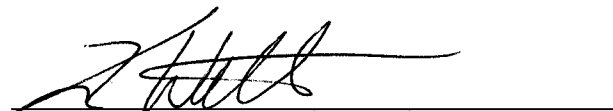
7. Based on my preliminary criminal history search, BLAKEPOTTER has at least two prior felony convictions in the State of Minnesota that make him ineligible to possess a firearm: (1) a 2009 Ramsey County, MN conviction for second degree assault with a dangerous weapon; and (2) a 2007 Ramsey County, MN conviction for fleeing police in a motor vehicle.

8. The firearm recovered from the van was a Marlin, Model 120 Magnum, 12 gauge shotgun, bearing serial number A11816. The firearm had an overall length of approximately 27 inches and a barrel length of 15 ½ inches.

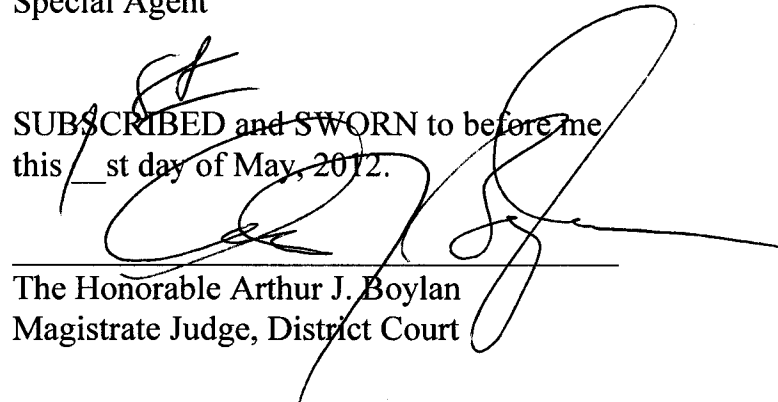
9. Based on my examination of the Marlin, Model 120 Magnum, 12 gauge shotgun, recovered in relation to this incident, and on my consultation with Interstate Nexus Expert, Martin Siebenaler, I was able to determine that the shotgun was manufactured in the state of Connecticut, and that it, therefore, traveled in interstate commerce at some point prior to BLAKEPOTTER'S possession of the firearm in the city of St. Paul, MN, on or about April 10, 2012. Finally, I can conclude that the shotgun is a firearm as defined in Title 18, United States Code, Section 921(a)(3).

10. Based on the foregoing, I believe there is probable cause that on or about April 10, 2012, MICHAEL GARFIELD BLAKEPOTTER violated Title 18, United States Code, Section 922(g)(1) by being a felon in possession of a firearm.

Further your Affiant sayeth not.



Kylie M. Williamson
Special Agent



SUBSCRIBED and SWORN to before me
this 5 st day of May, 2012.

The Honorable Arthur J. Boylan
Magistrate Judge, District Court